

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MARIA DEVLIN and JULIE THUMM,
individually and on behalf of all others similarly
situated,

Plaintiffs,

v.
FERRANDINO & SON, INC.,

Defendant.

Civil Action No. 2:15-cv-04976-NIQA

Judge Nitza I. Quinones Alejandro

**PLAINTIFFS' UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF THE SETTLEMENT AGREEMENT**

Plaintiffs, Maria Devlin and Julie Thumm, through their undersigned counsel, respectfully move this Court for an Order:

1. Granting preliminary approval of the Parties' Settlement Agreement, a true and correct copy of which is attached as Exhibit 1 to this Motion;
2. For settlement purposes, preliminarily certifying the state law claims as a FED. R. CIV. P. 23 class on behalf of the Pennsylvania Settlement Class and conditionally certifying the FLSA claims pursuant to 29 U.S.C. § 216(b);
3. Preliminarily approving Plaintiffs, Maria Devlin and Julie Thumm as Representatives of the Pennsylvania Settlement Class;
4. Preliminarily approving Berger & Montague, P.C. and Willig, Williams & Davidson as Class Counsel for the Pennsylvania Settlement Class;
5. Preliminarily approving The Angeion Group as Settlement Administrator and preliminarily approving the costs of claims administration;
6. Approving the Class Notice and Opt-In Consent Form, true and correct copies of which are attached as Exhibits A and B, respectively, to the Settlement Agreement; and

7. Approving the proposed schedule and procedure for completing the final approval process as set forth in the Parties' Settlement Agreement.

This Motion is based on the accompanying Memorandum of Law, the Declarations of Sarah Schalman-Bergen and Ryan Allen Hancock in Support of the Plaintiffs' Unopposed Motion for Preliminary Approval of the Settlement Agreement, the attached Exhibits, and all other records, pleadings and papers on file in this action. Pursuant to the terms of the Settlement Agreement, Defendant does not oppose this Motion.

A proposed Order is submitted for the Court's consideration.

Dated: March 7, 2016

Respectfully submitted,

s/ Sarah Schalman-Bergen

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Attorneys for the Plaintiffs and the Class

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served upon all counsel of record through the Court's ECF system this 7th day of March, 2016.

s/ Sarah Schalman-Bergen

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